

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CHARLES LEE LOCKE,

Plaintiff,

v.

DENEASE HACKER, et al.,

Defendants.

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No. 4:23-CV-1001 RLW

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. On or about August 11, 2023, Plaintiff Charles Lee Locke started this action by filing a civil complaint and a motion seeking leave to proceed in forma pauperis. The Court granted Plaintiff's motion, and reviewed the complaint pursuant to 28 U.S.C. § 1915(e). As fully explained in the Court's October 20, 2023 Order (ECF No. 6), the complaint was defective and subject to dismissal, and Plaintiff was given the opportunity to file an amended complaint to cure the defects. The Court's October 20, 2023 Order clearly explained the reasons the complaint was subject to dismissal, gave Plaintiff clear instructions about how to prepare the amended complaint, and cautioned Plaintiff that his failure to timely file an amended complaint may result in the dismissal of his case without prejudice and without further notice.


Plaintiff had until November 30, 2023 to file an amended complaint. To date, however, he has not filed an amended complaint, or sought additional time to do so. Plaintiff was given meaningful notice of what was expected, cautioned that his case would be dismissed if he failed to timely comply, and given additional time to comply. As a result, this action will be dismissed without prejudice due to Plaintiff's failure to comply with the Court's October 20, 2023 Order

and his failure to prosecute this case. *See* Fed. R. Civ. P. 41(b); *see also Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986) (“A district court has the power under Fed. R. Civ. P. 41(b) to dismiss an action for the plaintiff’s failure to comply with any court order[.]”); *Dudley v. Miles*, 597 F. App’x 392 (8th Cir. 2015).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice for failure to comply with the Court’s Order. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 14th day of December, 2023.